



06-10-04

#15

DIAC

Attorney Docket: 361007-000012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

JUN 17 2004

In re application of: Yogendra Joshi, et al.)

Application No.: 09/828,564)

Group Art Unit: 3743 **OFFICE OF PETITIONS**

Filed: April 6, 2001)

Examiner: Nihir Patel

Title: Orientation-Independent Thermosyphon)
Heat Spreader)

MAIL STOP: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned as a result of missing the six (6) month deadline to file a Notice of Appeal in response to an action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the six (6) month deadline to file a Notice of Appeal.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

- (1) Petition fee
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and patent applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the delay was unintentional

1. Petition fee

☒ Other than small entity - fee \$1,330.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above noted action in the form of
a Request for Continued Examination

☒ is enclosed herewith.

B. The Request for Continued Examination fee of \$770.00

☒ is enclosed herewith.

Serial No. 09/828,564

3. Terminal disclaimer fee

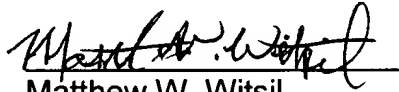
☒ Since this utility/plant application is filed after June 8, 1995, no terminal disclaimer is required

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 7811.03(c)(III)(C) and (D))].

Respectfully submitted,

June 9, 2004

Date



Matthew W. Witsil

Registration: 47,183

Moore & Van Allen PLLC

Attorney for Applicants

2200 West Main Street, Suite 800

Durham, North Carolina 27705

Telephone: 919-286-8000

Facsimile: 919-286-8199

Enclosures: Request for continued examination (RCE)

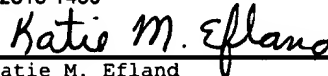
Petition fee payment and

RCE fee payment (\$2,100 total)

Fee transmittal form

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the US Postal Service as express mail no. EV399302546US on June 9, 2004, in an envelope addressed to Mail Stop: Petition, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450



Katie M. Efland